

**DELAWARE AGRICULTURAL LANDS
PRESERVATION FOUNDATION**

Agenda is subject to change

Foundation Meeting Date: August 19, 2015, 8:30 a.m.

Delaware Department of Agriculture, Conference Room Two

2320 S. DuPont Hwy., Dover, DE 19901

Phone: 302-698-4530 or 1-800-282-8685

I. Preservation Districts

A. Current Situation Report – Milton Melendez

B. Monitoring Report – Milton Melendez

C. Young Farmers Report – Austin Short

D. Expansion Eligibility & Final Approval

**1. Lynch Expansion of the Steen District (S-15-07-237A)
(Contingent Sale)**

**2. Baxter Farms – Granville Expansion of the Baxter Farms,
Inc. District (S-15-05-037F)**

II. Secretary of Agriculture's Veto

III. Opportunity for Public Comments

IV. Minutes

V. Financial Highlights

VI. Executive Session - Pursuant to 29 Del. C. §10004 (b) (2), (4) and (6) the Board will go into executive session for the purpose of receiving legal advice and to discuss and review confidential appraisal matters. The Board will not vote on any matter in Executive Session.

VII. Other Business:

**A. Application Review: Cellco Limited Partnership-Verizon Wireless
for Installation of Cell Phone Tower on Parcel 133-1.00-3.00,
Sussex County. (S-04-06-152B Adams Expansion of the Kruger
Farms #1 District)**

- B. Application Review: DelDOT Temporary Construction Easement (TCE) & Permanent Maintenance Easement on Parcel 6-00-157.00-01-33.00 as part of Horsepen Arm Ditch Drainage Improvement under Park Brown Road, Kent County. (Hrupsa Expansion of the Simpsons Farm District K-13-03-072H-1)**
- C. Application Review: DelDOT Temporary Construction Easement (TCE) & Permanent Maintenance Easement on Parcel 6-00-157.00-01-32.00 as part of Horsepen Arm Ditch Drainage Improvement under Park Brown Road, Kent County. (Larimore Farms Expansion of the Simpsons Farm District K-12-08-072G)**
- D. Application Review: DelDOT Temporary Construction Easement (TCE) & Permanent Maintenance Easement on Parcel 6-00-157.00-01-34.00 as part of Horsepen Arm Ditch Drainage Improvement under Park Brown Road, Kent County. (Messick Expansion of the Vogl District K-08-11-041L)**
- E. Foundation Meeting Change from October 21, 2015 to October 14, 2015**

VIII. Adjournment

PUBLIC NOTICE

The Delaware Agricultural Lands Preservation Foundation

The Foundation will meet on August 19, 2015 at 8:30 A.M. at the Delaware Department of Agriculture, 2320 S. DuPont Highway, Dover, Delaware. The purpose of the meeting is to review applications before the Foundation, and conduct other Foundation business. The Foundation, in addition to reviewing applications for the establishment of agricultural preservation districts, shall also review the following applications for agricultural preservation districts and expansions of existing agricultural preservation districts: S-15-07-237A Lynch Expansion of the Steen District (Sussex County, Beaver Dam Branch Rd & Johnson Rd), S-15-05-037F Baxter Farms – Granville Expansion of the Baxter Farms, Inc. District (Sussex County, Zoar Rd & Bethesda Rd)

In Other Business, the Foundation will consider the application of Cellco Limited Partnership – Verizon Wireless for installation of a cell phone tower on Sussex County parcel 133-1.00-3.00 (S-04-06-152B Adams Expansion of the Kruger Farms #1 District). Other scheduled Business items: DelDOT is currently seeking three temporary construction easements (TCE), and three permanent maintenance easements on parcels 6-00-157.00-01-33.00, 6-00-157.00-01-34.00, & 6-00-157.00-01-32.00, all located in Kent Co, as part of Horsepen Arm Ditch Drainage Improvement under Park Brown Road, Kent County, affecting the following preservation areas: Hrupsa Expansion of the Simpsons Farm District K-

13-03-072H-1, Larimore Farms Expansion of the Simpsons Farm District K-12-08-072G, & Messick Expansion of the Vogl District K-08-11-041L.

Each parcel will have its own review and approval vote.

One additional scheduled Business item to address is: a request to change October 21, 2015 Foundation meeting to October 14, 2015 to accommodate a Regulation Hearing.

The Foundation has authority to grant expansion requests, subject to a right of rejection of the Secretary of the Department of Agriculture and appeal of the decision to the Superior Court. The approval of an expansion to an existing agricultural preservation district confers the same rights and privileges to the expansion properties which are enjoyed by the existing agricultural preservation districts. Also, inclusion of an expansion to a district has impacts on landowners and land uses adjacent to the expanded district as set forth in 3 Del. C. §910.

The public is invited to provide comments prior to the August 19, 2015 meeting. Information concerning the applications for expansion of the agricultural preservation districts is available upon request from the Foundation by contacting Rebecca Vaughn, 1-800-282-8685, or 698-4531. The applications are also available for public inspection.

The public, including adjacent landowners, are also invited to attend this meeting and provide comments regarding the applications for expansion prior to the time that the Foundation takes formal action on the applications.

Pursuant to 29 Del. C. § 10004(b) (2), (4) and (6) the Board may go into executive session for purposes of receiving legal advice and to discuss and review confidential appraisal matters. The Board will not vote on any matter in executive session.

Accommodations are available for individuals with disabilities. Persons with disabilities are encouraged to call Debbie Carey (302-698-4500) or toll free (1-800-282-8685) to request an auxiliary aid or service.